

CHAPTER 1082

EXCISE TAX ON EGGS

S. F. 2189

AN ACT relating to the excise tax on egg sales.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section one hundred ninety-six A point one (196A.1), subsection two (2), Code 1977, is amended to read as follows:

2. "Hatchery man operator" means any person who operates a hatchery licensed under chapter 168 and who is actively engaged in the business of hatching and or selling chickens for commercial purposes.

Sec. 2. Section one hundred ninety-six A point five (196A.5), Code 1977, is amended to read as follows:

196A.5 COMPOSITION OF COUNCIL. The Iowa egg council established under this chapter shall be composed of four egg producers, one from each district; two egg processors, and one hatchery man operator who shall be appointed pursuant to this chapter. The secretary or his or her representative, the director of the Iowa development commission, and the chairman of the poultry science section of the department of animal science at Iowa State University of science and technology or his or her representative shall serve as ex officio nonvoting members of the council. The council shall annually elect a chairman chairperson from its membership.

Sec. 3. Section one hundred ninety-six A point six (196A.6), Code 1977, is amended to read as follows:

196A.6 INITIAL APPOINTMENTS. For the initial council the secretary shall notify the Iowa poultry association, incorporated, immediately after passage of the question at the referendum election and the association shall nominate two producers from each district, four processors from the state, and two hatchery man operators from the state to serve on the Iowa egg council. The secretary shall receive the nominations and shall appoint from these nominations members of the initial council within thirty days following passage of the question at the referendum election.

Sec. 4. Section one hundred ninety-six A point eight (196A.8), Code 1977, is amended to read as follows:

196A.8 TERMS. The term of office for members of the

council shall be four years and no member shall serve more than three consecutive terms. The producers on the initial council shall determine their terms by lot, so that two producers shall serve a two-year term and two producers shall serve a four-year term. The two processors on the initial council shall determine their terms by lot so that one processor shall serve a two-year term and one shall serve a four-year term. The hatchery ~~man~~ operator on the initial council shall serve a two-year term.

Sec. 5. Section one hundred ninety-six A point nine (196A.9), unnumbered paragraph two (2), Code 1977, is amended to read as follows:

In addition the council shall appoint a nominating committee composed of five processors and five hatchery ~~men~~ operators in the state. The nominating committee shall nominate two processors as candidates for each processor position and two hatchery ~~men~~ operators as candidates for the hatchery ~~man~~ operator position on the council.

Sec. 6. Section one hundred ninety-six A point seventeen (196A.17), Code 1977, is amended to read as follows:

196A.17 EGG FUND. Subject to the provisions of section 196A.15, the tax imposed by this chapter shall be remitted by the purchaser to the Iowa egg council not later than thirty days following each calendar quarter ~~following collection of the tax~~ during which the tax was collected. Amounts collected from the tax shall be deposited in the office of the treasurer of state in a separate fund to be known as the Iowa egg fund.

Sec. 7. Section one hundred ninety-six A point eighteen (196A.18), Code 1977, is amended to read as follows:

196A.18 REFUNDS. A producer who has paid the tax may, by application in writing to the council, secure a refund in the amount paid or any portion thereof. The refund shall be payable only when the application shall have been made to the council within sixty days after ~~payment of the tax~~ the end of the calendar quarter during which the eggs were sold by the producer. Each application for refund by a producer shall have attached thereto proof of tax paid. The proof of tax paid may be in the form of a duplicate or certified copy of the purchase invoice by the purchaser.

Sec. 8. Section one hundred ninety-six A point twenty (196A.20), Code 1977, is amended to read as follows:

196A.20 WARRANTS BY COMPTROLLER. The Iowa egg fund shall be subject at all times to warrant by the state comptroller,

upon written requisition of the ~~chairman~~ chairperson or treasurer of the council, attested to by the council secretary or executive director.

Sec. 9. This Act is effective January 1, 1979.

Approved May 12, 1978

CHAPTER 1083

UNIFORM CONTROLLED SUBSTANCE

H. F. 2294

AN ACT to define an additional substance as a controlled substance under the uniform controlled substances Act.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section two hundred four point two hundred ten (204.210), subsection five (5), Code 1977, is amended by adding the following new paragraph:

NEW PARAGRAPH. Prazepam.

Approved April 27, 1978

CHAPTER 1084

WEIGHTS AND MEASURES

H. F. 561

AN ACT relating to the state standard of weights and measures.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section two hundred thirteen point one (213.1), Code 1977, is amended to read as follows:

213.1 STATE ~~SEALER~~ METROLOGIST. The department shall designate one of its assistants to act as state ~~sealer~~ metrologist of weights and measures. All weights and measures sealed by him or her shall be impressed with the word "Iowa."

Sec. 2. Section two hundred thirteen point two (213.2), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

213.2 PHYSICAL STANDARDS. Weights and measures, which conform to the standards of the national bureau of standards existing as of the effective date of this Act, that are traceable to the United States standards supplied by the federal government